

PERS 76-3898

4 JAN 1977

MEMORANDUM FOR: Chief, Administration and Training Division, OS

FROM : F. W. M. Janney
Director of Personnel

SUBJECT : [REDACTED] Clerk-Stenographer
Request for Information on Back Pay Claims
Under Certain Conditions

REFERENCE : Memo for D/Pers fr AC/A&TD/OS dtd 9 Nov 76,
same subj.

1. Referent transmitted a memorandum from an Office of Security employee requesting information concerning back pay claims reported on in a 4 October 1976 Federal Employee's News Digest. The original of the Digest article concerns two Comptroller General decisions, B183086 and B184990 which interpret Civil Service Commission regulations relative to assignments to positions graded at a higher level than that of the assignee.

2. The Office of the General Counsel has just completed a study of the decisions and the regulations and law on which they are based and has concluded that these decisions do not apply to Agency positions or personnel. The CSC regulations involved in the Comptroller General decisions are not directly applicable to Agency employees and the Agency has no regulations of its own which mandate procedures comparable to the CSC regulations.

3. Please advise Miss [REDACTED] that while her memorandum only asked for advice on filing a claim, we have reviewed her request as if it were actually a claim and find no basis on which to approve it. As noted above, the Comptroller General decisions are determined not to be applicable to Agency positions or personnel. Neither do we find there has been conflict in her assignment with Agency published regulations relative to employee grade and the grade of the position of assignment.

4. We have attached a copy of the basic response to queries on this matter. You may wish to transmit it to Miss [REDACTED]

(Signed) F. W. M. Janney
F. W. M. Janney

Att.

ADMINISTRATIVE - INTERNAL USE ONLY